

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA, | : | |
| | : | |
| -against- | : | 93 Cr. 203 (LGS) |
| | : | |
| JUAN CARLOS MUSTAFA, | : | <u>ORDER</u> |
| Defendant. | : | |
| ----- | : | |
| | X | |

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on March 14, 2022, Defendant filed a motion for sentence reduction and compassionate release, stating that he had exhausted his administrative remedies by submitting his request to the Warden on November 5, 2021, but not attaching his request (Dkt. No. 218);

WHEREAS, Defendant’s motion argued that “[d]ue to the delay in gaining access to independent eye specialists and surgeons, Mustafa is now blind in his left eye, and is threatened with loss of vision in his right eye”;

WHEREAS, the Government acknowledges “medical care has indeed stalled in recent months” due to difficulty finding a suitable provider, but states that the facility at which Defendant is housed (FCI Gilmer) “recently reopened negotiations” with a provider “and hopes to have an agreement in place soon,” that “if and when such an agreement is reached, the facility will expedite medical visits for inmates such as the defendant to the greatest extent possible,” and that it considering transferring Defendant to another facility if negotiations are unsuccessful and transfer is necessary to access providers. It is hereby

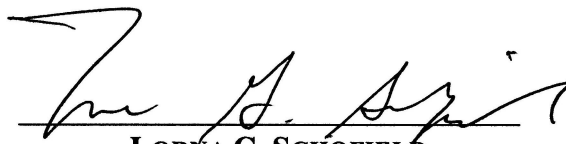
ORDERED that, by **May 20, 2022**, Defendant shall file proof of exhaustion of his administrative remedies, including a copy of the request to the Warden for compassionate release referenced in his motion at Dkt. No. 218. It is further

ORDERED that, by **May 20, 2022**, the government shall file an affidavit from the person

at FCI Gilmer responsible for Defendant's medical care explaining in detail what care Defendant had been receiving, what further care is needed and when it is needed, and when it is or will be scheduled and with whom.

The Government is directed to email if possible and mail a copy of this Order to Defendant and file proof of service by **May 5, 2022**.

Dated: May 3, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE